

IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

v.

Ramon Aragon, *et al.*,

Defendants.

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69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM
Section 3: Rio Nutrias, Rio Cebolla
& Canjilon Creek

MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT

COMES NOW the plaintiff, State of New Mexico, *ex rel.* State Engineer ("State"), by and through his attorneys, and respectfully requests the Court to join as additional parties defendant the persons named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.

2. The persons listed in Exhibit A are in Section 3 of the Rio Chama Basin, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using water

6552

associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within Section 3 of the Rio Chama Basin.

DATED February 21, 2002

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion to Join Additional Parties Defendant was mailed to the following persons on February 22, 2002.



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EXHIBIT A

<u>DEFENDANT</u>	<u>SUBFILE NO.</u>	<u>ADDRESS</u>
Juanita Salazar	CHCJ-004-0036B	P.O. Box 435, Canjilon, NM 87515
Sabino Salazar	CHCJ-004-0036B	P.O. Box 435, Canjilon, NM 87515
Ben Torrez	CHCJ-002-0042	P.O. Box 901, Canjilon, NM 87515
Isabel Torrez	CHCJ-002-0042	P.O. Box 901, Canjilon, NM 87515
Raymond G. Jaramillo	CHCJ-003-0031	176 Mountain View, Monument, CO 80132
Renea P. Gonzales	CHCJ-003-0029	9724 Indian School NE Albuquerque, NM 87112